

FILED MAY 11 2011 JAH/600-CRP

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

UNITED STATES OF AMERICA

Case No: CR 11-202-MO

v.

INDICTMENT

TU NGOC TRAN; MINH THY NGOC NGUYEN, aka Minh Thy Nguyen, Minaty Nguyen, Minthy Nguyen, Minhty Nguyen; and HUY ANH NGUYEN,

Defendants.

UNDER SEAL

18 U.S.C. § 2;
18 U.S.C. § 982;
18 U.S.C. § 1956(a)(1)(A)(I);
18 U.S.C. § 1956(a)(1)(B)(I);
21 U.S.C. § 841(a)(1);
21 U.S.C. § 841(b)(1)(A)(vii);
21 U.S.C. § 841(b)(1)(B)(vii);
21 U.S.C. § 846
21 U.S.C. § 853
21 U.S.C. § 963

COUNT 1 - Conspiracy to Manufacture and Distribute Marijuana

Beginning on or before October 2, 2009, and continuing through January 7, 2011, within the District of Oregon, the Western District of Washington and elsewhere, defendants **TU NGOC TRAN; MINH THY NGOC NGUYEN**, aka Minaty Nguyen, aka Minthy Nguyen, aka Minhty Nguyen; and **HUY ANH NGUYEN**, knowingly and intentionally combined, conspired, confederated and agreed with each other, and with other persons known and unknown to the Grand Jury, to commit the following offenses against the United States:

(a) to manufacture marijuana, a Schedule I controlled substance, to wit: more than one thousand (1000) marijuana plants, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1); 841(b)(1)(A)(vii);

(b) to possess with intent to distribute, and to distribute marijuana, a Schedule I controlled substance in violation of Title 21, United States Code, Sections 841(a)(1); 841(b)(1)(A)(vii);

All in violation of Title 21, United States Code, Sections 846 and 963.

COUNT 2 - Money Laundering

Beginning on or before October 2, 2009, and continuing through January 7, 2011, in the District of Oregon and the Western District of Washington, defendants **TU NGOC TRAN; MINHHTHY NGOC NGUYEN**, aka Minaty Nguyen, aka Minthy Nguyen, aka Minhty Nguyen; and **HUY ANH NGUYEN**, knowingly conducted or attempt to conduct financial transactions involving the proceeds of the unlawful manufacture and distribution of marijuana, knowing that the property involved in the financial transactions represented the proceeds of the unlawful manufacture and distribution of marijuana, with the intent to either:

(1) promote the carrying on of a specified unlawful activity, that is the manufacture and distribution of controlled substances (marijuana), in violation of Title 18, United States Code, Section 2 and Title 18, United States Code, Section 1956(a)(1)(A)(I), or

(2) conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of a specified unlawful activity, that is the manufacture and distribution of controlled substances (marijuana), in violation of Title 18, United States Code, Section 2 and Title 18, United States Code, Section 1956(a)(1)(B)(I).

COUNT 3 - Manufacturing Marijuana - Rocky Butte Property

Beginning on or before March 4, 2010, and continuing through December 21, 2010, in the District of Oregon, defendants **TU NGOC TRAN; MINHHTHY NGOC NGUYEN**, aka

Minaty Nguyen, aka Minthy Nguyen, aka Minhty Nguyen; and **HUY ANH NGUYEN** knowingly and intentionally manufactured marijuana, a Schedule I controlled substance, to wit: more than one hundred (100) marijuana plants, a Schedule I controlled substance, in violation of Title 18, United States Code, Section 2 and Title 21, United States Code, Sections 841(a)(1); 841(b)(1)(B)(vii);

COUNT 4 - Manufacturing Marijuana - Bella Vista Property

Beginning on or before October 2, 2009, and continuing through December 21, 2010, in the District of Oregon and the Western District of Washington, defendants **TU NGOC TRAN**; **MINHHTHY NGOC NGUYEN**, aka Minaty Nguyen, aka Minthy Nguyen, aka Minhty Nguyen; and **HUY ANH NGUYEN** knowingly and intentionally manufactured marijuana, a Schedule I controlled substance, to wit: more than one hundred (100) marijuana plants, a Schedule I controlled substance, in violation of Title 18, United States Code, Section 2 and Title 21, United States Code, Section 841(a)(1); 841(b)(1)(B)(vii);

COUNT 5 - Manufacturing Marijuana - Pacific Property

Beginning on or about August 6, 2010, and continuing through December 21, 2010, in the District of Oregon defendants **TU NGOC TRAN** and **HUY ANH NGUYEN**, knowingly and intentionally manufactured marijuana, a Schedule I controlled substance, to wit: more than one hundred (100) marijuana plants, a Schedule I controlled substance, in violation of Title 18, United States Code, Section 2 and Title 21, United States Code, Section 841(a)(1); 841(b)(1)(B)(vii).

FORFEITURE ALLEGATION- Conspiracy to Manufacture and Distribute Marijuana

Upon conviction of one or more of the controlled substance offenses alleged in Counts 1, 3, 4, and 5 of this Indictment, defendants **TU NGOC TRAN; MINHHTHY NGOC NGUYEN**, aka Minaty Nguyen, aka Minthy Nguyen, aka Minhty Nguyen; and **HUY ANH NGUYEN**, shall forfeit to the United States pursuant to 18 United States Code, Section 982 and 21 United States Code, Section 853, any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the said violations and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said violations, including but not limited to the following:

PROCEEDS

A sum of money equal to \$50,000 in United States currency, representing the amount of proceeds obtained as a result of the offense, Conspiracy to Manufacture and Distribute Marijuana for which the defendants are jointly and severally liable.

REAL PROPERTY

1. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at **2915 NE Rocky Butte Road, Multnomah County, Oregon**, real property with buildings, appurtenances, and improvements, and more particularly described as:

LOT 10, BLOCK 2, OLYMPUS ESTATES, IN THE CITY OF PORTLAND,
MULTNOMAH COUNTY, STATE OF OREGON

2. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at **14119 SE Bella Vista Circle**,

Vancouver, Clark County, Washington, real property with buildings, appurtenances, and improvements, and more particularly described as:

BELLA VISTA LOT 20 & #1 LOTS 8 & 9.

CONVEYANCES

- a) a silver 2004 Acura MDX, VIN 2HNYD18894H514626 registered to Mihnty Nguyen ;
- b) a grey/silver 1998 BMW M3, VIN WBSBK0332WEC38528 registered to Mihnty Nguyen;
- c) a 2005 grey Porsche Cayenne SUV, VIN WPIAA29P75LA24524, registered to Mihnty Nguyen; and
- d) a 2001 silver Lexus sedan, VIN JTHBD182810019596 registered to Huy Nguyen.

If any of the above-described forfeitable property in the forfeiture allegations, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property described above.

FORFEITURE ALLEGATION -Money Laundering

Upon conviction of one or more of the controlled substance offenses alleged in Count 2 of this Indictment, defendants **TU NGOC TRAN; MINH THY NGOC NGUYEN**, aka Minaty Nguyen, aka Minthy Nguyen, aka Minhty Nguyen; and **HUY ANH NGUYEN**, shall forfeit to the United States pursuant to 18 United States Code, Section 982 and 21 United States Code, Sections 853, any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the said violations and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said violations, including but not limited to the following:

PROCEEDS

A sum of money equal to \$50,000 in United States currency, representing the amount of proceeds obtained as a result of the offense, Money Laundering, for which the defendants are jointly and severally liable.

REAL PROPERTY

1. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at **2915 NE Rocky Butte Road, Multnomah County, Oregon**, real property with buildings, appurtenances, and improvements, and more particularly described as:

LOT 10, BLOCK 2, OLYMPUS ESTATES, IN THE CITY OF PORTLAND,
MULTNOMAH COUNTY, STATE OF OREGON

2. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at **14119 SE Bella Vista Circle**,

Vancouver, Clark County, Washington, real property with buildings, appurtenances, and improvements, and more particularly described as:

BELLA VISTA LOT 20 & #1 LOTS 8 & 9.

CONVEYANCES

- a) a silver 2004 Acura MDX, VIN 2HNYD18894H514626 registered to Mihnty Nguyen;
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- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

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it is the intent of the United States, pursuant to 21 United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property described above.

Dated this 18th day of May 2011.

A TRUE BILL.

OFFICIA^TPING FOREPERSON

Presented by:

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